

REMARKS/ARGUMENTS

Claims 1-20 are pending in the present application. Reconsideration of the claims is respectfully requested.

I. 35 U.S.C. § 102, Anticipation: Claims 7-10 and 12-15

The Examiner has rejected claims 7-10 and 12-15 under 35 U.S.C. § 102(e) as being anticipated by *DeFrancesco, Jr. et al., Workflow Management System for an Automated Credit Application System*, U.S. Patent No. 6,505,176 (January 7, 2003¹) (hereinafter “*DeFrancesco*”). This rejection is respectfully traversed.

Claim 7 describes the workflow including nodes that may be skipped. Recovery nodes indicate points in the workflow where skipped nodes are executed.

Claim 10 describes means for establishing a node in the workflow that may be skipped. There are points on the workflow where transactions that were part of the skipped node are executed.

Claim 13 describes designating at least one node in the workflow that may be skipped during the execution of the workflow. A recovery node is designated that indicates a re-execution point in the workflow where the persons in charge of a previously skipped node re-execute the business processes of that node.

Applicants’ claims describe nodes that may be skipped. The claims describe points in the workflow where nodes that were originally skipped are executed.

DeFrancesco teaches one environment in which the invention of *DeFrancesco* can be used. The environment is within a lending institution for processing loan and credit applications. Steps used to process loan applications, and the order in which these steps are processed, vary widely among lending institutions. *DeFrancesco*, column 2, lines 4-12.

A workflow is defined that includes these steps. A user can build a workflow definition 404 by defining and selecting workflow steps. *DeFrancesco*, column 8, lines 12-16. There are three types of steps. The steps are either “normal”, “exception”, or “automatic” steps. *DeFrancesco*, column 8, lines 22-25. The workflow management system evaluates the steps to determine their status (incomplete, not applicable (N/A), complete, or waived), and determines which steps are next activated. Steps that have not already been skipped or waived need to be completed. The steps that have not already been skipped or waived have a status of either “incomplete” or “complete”. The steps that are skipped are tagged with a N/A status.

¹ This patent issued on a continued prosecution application filed under 37 CFR 1.53(d), and is subject to the twenty year patent term provisions of 35 U.S.C. 154(a)(2). Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 49 days.

“Skip tests are used to determine the presence of a specified criteria that would cause the associated step 418 to be tagged with a status of N/A as shown by status block 416. Steps 418 having a status 416 of N/A do not apply to the workflow, and are therefore skipped. For example, one step may be to send out a decline letter to the applicant. However, this step should be skipped if the applicant is granted a loan.” *DeFrancesco*, column 9, lines 57-64. Thus, as the example makes clear, skipped steps are not repeated because they are not necessary. There would be no reason to attempt to complete an unnecessary step.

DeFrancesco provides additional information about skip tests in column 10, lines 23-25, which states: “Skip Tests - Tests that are tested to determine if there is a special circumstance that would cause the step to not apply to the workflow and therefore be skipped.”

The completion tests are used to determine if a step has been completed. *DeFrancesco*, column 10, lines 20-25. Once the step has been completed, its status is changed from “incomplete” to “complete”. The completion tests are used for steps that have not been skipped. Skipped steps do not have a status of either “complete” or “incomplete”. If a step has either a status of “complete” or “incomplete”, that step was not skipped.

“Exception steps are used to manage any exceptions encountered in the normal processing of credit applications. Exception steps are typically configured to follow the actual step that causes the exception.” *DeFrancesco*, column 8, lines 32-35. “A exception test set is used to determine if an exception should be made.” *DeFrancesco*, column 11, lines 9-10.

Exception tests are tests that are only applicable for exception-type steps and act as both skip and completion tests for exception steps. See *DeFrancesco*, column 10, lines 22-23. When determining whether a “normal” or “exception” step should be skipped, *DeFrancesco* uses the skip tests. “If the process step is of the type exception 414, the completion and skip tests 422 are the same. Accordingly, the rules 412 associated with an exception step are both the skip and completion rules.” *DeFrancesco*, column 13, lines 38-41. Therefore, when determining whether an exception step should be skipped, the exception tests act just like the skip tests described above. Therefore, the discussion above regarding the skip tests applies to exception tests as well.

Thus, according to *DeFrancesco*, an exception test can be used to determine whether a step should be skipped or whether it should be completed. *DeFrancesco* does not describe executing a skipped step until that step is completed. Throughout *DeFrancesco*, skipped steps are never described as being executed. Skipped steps tests are described as being skipped and marked not-applicable.

Steps that need to be executed are marked as being either complete or incomplete. When a step has been executed, it is marked as being complete. When a step that needs to be executed has failed, it is

marked as being incomplete. Attempts are made to execute these incomplete steps until they are executed. Once executed, their status is changed from incomplete to complete.

Skipped tests, whether used for normal steps or exception steps, never have a status of “incomplete” or “complete”. Skipped tests are always described as having the status “not-applicable”, or “N/A”.

Exception steps can either be skipped, or they need to be completed. If they are skipped, they have a “not-applicable” status, and are not executed. If the step needs to be completed, the completion tests are used to determine if the step has been completed. The exception steps that need to be completed, i.e. the steps that have not been skipped, have an “incomplete” status until they are completed; when they are completed they have a “complete” status.

The Examiner asserts that *DeFrancesco* teaches the execution of skippable steps, referring to column 13, lines 38-50. Specifically, the Examiner states that “when an exception step fails either the skip test or the completion test, a user will be prompted to take action and re-execute the step until it passes both the skip and completion test (see column 13, lines 38-50)”. Applicants disagree that this is what is taught by *DeFrancesco*.

Applicants disagree that *DeFrancesco* teaches “when an exception step fails either the skip test or the completion test, a user will be prompted to take action and re-execute the step until it passes both the skip and completion test”. *DeFrancesco*, column 13, lines 38-50, states:

If the process step is of the type exception 414, the completion and skip tests 422 are the same. Accordingly, the rules 412 associated with an exception step are both the skip and completion rules. Thus, for exception steps, if at least one of the rules fail, an exception is indicated and the status 416 for the step is incomplete. This will prompt attention from a user, that action is required to complete the process step. Once the user performs the required action, these tests will be executed again. If at that time, all of the tests pass, the step will be tagged with a complete status. If all of the tests for an exception step pass the first time through, there is no exception and the rule is skipped. The status 416 for a skipped exception rule is non-applicable (N/A).

The section of *DeFrancesco* quoted above first teaches that the skip tests and completion tests are the same for the exception-type steps. This section then goes on to describe what happens if a test (described here as a “rule”) fails for an exception-type step. The tests that might fail are the completion tests. If an exception-type test fails, the step is marked as being “incomplete”. Steps that are marked as being incomplete prompt attention from a user. Once the user performs the action, the completion tests are executed again until all completion tests pass.

The section of *DeFrancesco* quoted above does not describe executing skipped steps until the skipped steps have been completed. Skipped steps never have a status of “complete”. They always have a status of “N/A”. Because the step described above has a complete status, the step was not skipped. The

step needed to be completed. The step was “incomplete”, which prompted action from a user until the step had a status of “complete”.

Applicants also disagree that *DeFrancesco* teaches executing skippable steps. *DeFrancesco* does not teach “skippable” steps. *DeFrancesco* does not use the term “skippable”. *DeFrancesco* teaches only “skipped” steps. *DeFrancesco* consistently describes “skipped” steps as being not-applicable and not performed.

Furthermore, it does not make sense that a completion test would be performed on a step that has already been skipped. If a step has been skipped, that step is not-applicable, and is not performed. A completion test would be used only on steps that need to be performed.

DeFrancesco does not teach nodes that may be skipped and points in a workflow where the nodes that were originally skipped are executed. Because *DeFrancesco* does not teach all of the features of Applicants’ claims, *DeFrancesco* does not anticipate Applicants’ claims.

The remaining claims depend from the independent claims discussed above and are believed to be patentable for the reasons given above.

Therefore, the rejection of claims 7-10 and 12-15 under 35 U.S.C. § 102 has been overcome.

II. 35 U.S.C. § 103, Obviousness: Claims 1-6, 11, and 16-20

The Examiner has rejected claims 1-6, 11, and 16-20 under 35 U.S.C. § 103(a) as being unpatentable over *DeFrancesco* in view of *Gabbita et al.*, System and Method for Managing the Workflow for Processing Service Orders Among a Variety of Organizations with a Telecommunications Company, U.S. Patent No. 6,349,238 (February 19, 2002) (hereinafter “*Gabbita*”). This rejection is respectfully traversed.

Claim 1 describes activities that may be skipped and re-execution points in the workflow where previously skipped activities are executed.

Claim 3 describes means for skipping part of the process flow by skipping one of the operators to whom a transaction is assigned, and means for reassigning the skipped transaction to the skipped operator wherein the skipped transaction is executed.

Claim 5 describes skipping the transaction assigned to a person and then assigning re-execution of the transaction to the skipped person. The re-execution is assigned at a predetermined timing in the workflow.

Claim 16 describes skipping the transaction assigned to a person and then assigning re-execution of the transaction to the skipped person. The re-execution is assigned at a predetermined timing in the workflow.

Claim 19 describes indicating that at least one of the nodes of the workflow may be skipped if the business processes of the node cannot be completed when the workflow defines that the node is to be executed. The recovery node is established where the persons in charge of skipped nodes re-execute the business processes.

Claim 20 describes skipping one or more activities assigned to persons, and assigning re-execution of the skipped activities to the persons whose assigned activities have been skipped.

The Examiner states that *DeFrancesco* teaches re-performing skipped activities. The Examiner goes on to state that *DeFrancesco* does not teach performing reassignment of the activities. The Examiner relies on *Gabbita* to teach the features believed missing from *DeFrancesco*.

The Examiner relies on column 3, lines 7-14, and column 29, lines 20-67, as teaching reassigning workflow processes. These sections of *Gabbita* teach a user being able to transfer and re-assign a workflow step. The user can use a remote workstation to do this.

Applicants' claim 1 describes re-execution points in the workflow where previously skipped activities are executed. These skipped activities are those that were skipped. As discussed above, *DeFrancesco* does not teach executing skipped activities. *Gabbita* also does not teach executing skipped activities. *Gabbita* teaches merely that a user can transfer a workflow step and assign it to another. Transferring a workflow step is not the same as executing activities that were skipped.

The combination of *DeFrancesco* and *Gabbita* does not teach executing previously skipped steps. Neither reference teaches executing skipped steps; therefore, the combination cannot teach executing previously skipped steps.

The remaining claims describe features that are similar to the features discussed above and are patentable for the reasons given above.

Because neither reference, nor combination of references, teaches the features of Applicants' claims, the combination of *DeFrancesco* and *Gabbita* does not render Applicants' claims obvious.

Therefore, the rejection of claims 1-6, 11, and 16-20 under 35 U.S.C. § 103 has been overcome.

III. Conclusion

It is respectfully urged that the subject application is patentable over *DeFrancesco* and *Gabbita* and is now in condition for allowance.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,

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